



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 16/06/20

gan **C MacFarlane BSc(Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 30.06.2020

Appeal Decision

Site visit made on 16/06/20

by **C MacFarlane BSc(Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 30.06.2020

Appeal Ref: APP/H6955/A/20/3246323

Site address: Old Sontley Hall, Sontley, Wrexham LL13 0YW

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Hughes against the decision of Wrexham County Borough Council.
 - The application Ref MAR P/2019/0602, dated 30 July 2019, was refused by notice dated 16 January 2020.
 - The development proposed is 30mx18m steel building to cover existing concrete yard/feeding area for dairy cows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the address in the banner heading from the appeal form, which also reflects the Council's decision notice.

Main Issues

3. The main issues are the effect of the proposal on i) the living conditions of the neighbouring occupiers, with regard to outlook and light and ii) the setting of a listed building.

Reasons

4. The appeal site is an area of hardstanding within an existing farm complex, which is located outside of any defined settlement limit. The farm complex is comprised of a range of modern and traditional agricultural buildings of varied size and appearance to the north and south of the site, with a wooded area to the east and a Grade II listed farmhouse to the west.

Living conditions

5. The western elevation of the proposed building would run parallel to the side elevation of the neighbouring dwelling, with a separation distance of approximately 8m. Two ground floor windows to the kitchen of the dwelling look directly out onto the site and wooded area beyond, with larger agricultural buildings being positioned to either side,
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which gives some sense of openness. Although the proposal may tidy up the appearance of the site, due to the close proximity and considerable height of the building, and the direct views from these windows, it would appear as a dominant and oppressive structure which would have an overbearing effect upon outlook. I note the kitchen has a third window in the northern elevation of the dwelling, however this would not overcome the harm caused by the significant reduction in outlook from the two side windows.

6. The large scale and position of the building to the east of the dwelling would also significantly reduce the amount of light entering the two kitchen windows, which would be exacerbated by the remaining third window being north-facing and receiving limited sunlight throughout the day. I therefore conclude that the proposal would cause significant harm to the living conditions of the neighbouring occupiers, with regard to outlook and light, and would not comply with Policies PS2 and GDP1 of the Wrexham Unitary Development Plan (UDP).

Listed building

7. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The farmhouse neighbouring the site is listed as a fragment of an important 17th Century timber-framed hall with historical associations, with later additions and alterations having been made.
8. The farmhouse is set back from Sontley Road with a large garden area adjoining the highway. This gives a degree of prominence to the building and allows the period architectural features that contribute to its significance to be easily read. The land to the north, east and south has been extensively developed, with a wide range of modern agricultural buildings positioned nearby on all three sides. Although the proposal would be substantial in height and partly visible when approaching the farmhouse along Sontley Road from the south, it would be viewed in the context of the numerous and varied agricultural buildings within the immediate setting of farmhouse. The proposal would not therefore significantly alter the way in which the listed building is experienced, and this is reflected in the comments from the Council's Conservation Officer and Clwyd-Powys Archaeological Trust. I conclude that the proposal would preserve the setting of the listed building in accordance with UDP Policies PS2, GDP1 and EC9.

Other Matters

9. The appellant has highlighted the importance of the proposal in improving the existing accommodation and welfare problems experienced by the farm business, and in ensuring its ongoing financial viability. Whilst I acknowledge there would be benefits in this respect, and that there is limited space available within the farm complex, there is a lack of detailed evidence to demonstrate that such improvements could not be secured by means other than the appeal proposal. I therefore afford this consideration limited weight.
10. The appellant also refers to the acceptability of the proposal with regard to vehicle access, flood risk and building subsidence. However, the absence of harm in these respects would be a neutral factor that would weigh neither for nor against the proposal.
11. In reaching my decision, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable

development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

Conclusion

12. Although I have found that the proposal would be acceptable with regard to its effect on the setting of the listed building, this lack of harm does not outweigh the harm to the living conditions of the neighbouring occupiers.
13. For the reasons given above, the appeal is dismissed.

Claire MacFarlane

INSPECTOR